UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/4/Add.4
8 August 2000

Original: ENGLISH

Substantive session of 2000

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Fourth periodic reports submitted by States parties
under articles 16 and 17 of the Covenant

Addendum

SWEDEN*

[10 April 2000]

---

* The third periodic report concerning rights covered by articles 1 to 15 (E/1994/104/Add.1) was considered by the Committee on Economic, Social and Cultural Rights at its twelfth session (see E/C.12/1995/SR.13/Add.1, 15/Add.1 and 16) in 1995.

The information submitted by Sweden in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.4).

The annexes referred to in the present report are available for consultation in the Committee's secretariat.

GE.00-43834 (E)

Introduction

1. This report contains a detailed account of the measures adopted by Sweden in connection with the implementation of the International Covenant on Economic, Social and Cultural Rights. The report also places particular emphasis on questions relating to the concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1995/5,* hereinafter referred to as the concluding observations). Each suggestion or recommendation by the Committee is dealt with under the relevant article.

2. In its concluding observations, the Committee requested information regarding the status of the Covenant in domestic law and in relation to cases where the Covenant was invoked in a court of law, as well as on the outcome of any such cases.

3. Sweden adheres to the principle that international treaties do not automatically become part of Swedish law. To become applicable, international treaties must either be converted into Swedish legislation or be incorporated through a special Act. The traditional procedure for implementing an international agreement is to lay down equivalent provisions in an independent Swedish statute, where such provision does not already exist.

4. Preparation for the ratification of the International Covenant on Economic, Social and Cultural Rights included a comprehensive review aimed at ensuring that Swedish law was in conformity with the terms of the Covenant. The review, and the ensuing parliamentary Bill, led to the ratification of the Covenant.

5. The Swedish system is such that the material content of the Covenant is not directly applicable in Swedish courts or by Swedish authorities. However, under Swedish case law - as established by a number of rulings by the Supreme Court - domestic legislation and any amendments thereto must be interpreted in accordance with Sweden's international obligations.

Article 1

Guidelines on article 1

6. Sweden has no colonies and is not responsible for the administration of any non-self-governing or trust territories.

Article 2

Guidelines on article 2, paragraphs 1 and 2

7. Details of the measures adopted to ensure that the rights embodied in the Covenant can be exercised without thereby involving acts of discrimination of any kind are set out in

---

* Subsequently published in Official Records of the Economic and Social Council, 1996 (E/1996/22-E/C.12/1995/18), paras. 134-148.

paragraphs 2–6 of the third periodic report submitted by Sweden under the terms of the International Covenant on Economic, Social and Cultural Rights (E/1994/104/Add.1, hereinafter referred to as the third periodic report).

8. In its concluding observations, the Committee requested information regarding the status of immigrants and the Government's efforts to combat discrimination and violence against them. The prevention and combating of ethnic discrimination, racism, xenophobia and other kinds of intolerance is one of the Government's most important tasks. These have been addressed in a number of ways. Broadly speaking, the measures may be divided into judicial measures, measures introduced in the context of integration policies aimed at safeguarding equal opportunities for immigrants and ethnic minorities, and public information and education. For information on specific measures being introduced, reference is made to paragraphs 2–30 and 43–59 of the thirteenth and fourteenth periodic reports (CERD/C/362/Add.5) submitted by Sweden under the International Convention on the Elimination of All Forms of Racial Discrimination.

9. In paragraph 12 of its concluding observation, the Committee further recommended that the Swedish Government "speed up the social integration of immigrants". Here, too, reference is made to paragraphs 60–104 of the thirteenth and fourteenth periodic reports submitted by Sweden under the International Convention on the Elimination of All Forms of Racial Discrimination.

Guidelines on article 2, paragraph 3

10. The primary objective for Swedish international development cooperation is to raise the standard of living of the poor. This objective is further elucidated in six sub-objectives including the promotion of democracy and human rights.

11. In 1998, a Government paper, "Democracy and Human Rights in Swedish International Development Cooperation", was submitted to the Swedish Riksdag (parliament) and subsequently approved. Sweden intends to focus its development assistance efforts on more human rights-based programming and achieve greater coherence between its various foreign policy instruments. Sweden has for many years allocated 0.7 per cent or more of its GNP to development assistance and thus meets the United Nations target set in this field.

Article 3

12. Reference is made to the fourth periodic report submitted by Sweden (CEDAW/C/SWE/4) under the Convention on the Elimination of All Forms of Discrimination against Women.

13. Sweden regards itself as a society in which women and men enjoy a relatively large measure of equality. This is borne out by, inter alia, the ratio of women to men elected to political office. In the latest general election to the Swedish Riksdag (parliament), county councils and municipal councils, the proportion of seats gained by women was as follows: the Riksdag (parliament): 40 per cent, county councils: 48 per cent, and municipal councils: 41 per cent. The comparatively high employment rate for women (70 per cent) indicates the degree of access to the labour market enjoyed by women.

14. In its concluding observations, the Committee urges the Government to intensify efforts aimed at, inter alia, combating domestic violence against women. Indeed, the Government recognizes this as a serious problem and has taken measures to prevent and protect women from being subjected to domestic violence.

Statistics on domestic violence against women

15. Statistics from the last decade have revealed an increase in reported assaults and various forms of sexual offence. The perpetrator is often a man who has a close relationship to the victim. In 1998, 20,516 assaults against women were reported. Nearly 80 per cent of these crimes were committed by someone who knew the victim. Approximately 20 women are killed every year by men with whom they have a close relationship.

16. The National Council for Crime Prevention is responsible for research and development work in the field of crime prevention. The Council is also responsible for keeping official crime statistics. The Council has been entrusted with the task of pursuing research into violence against women and incorporating a gender perspective in its present research and development work.

17. Steps are being taken by the National Council for Crime Prevention to improve official crime statistics and make it possible to ascertain the sex of both the perpetrator and the victim, the age of the latter and her/his relationship with the perpetrator.

18. The Government has requested the Office of the Public Prosecutor to present regular reports stating the number of restraining orders issued and propose ways of coordinating these figures with statistics on breaches of restraining orders.

19. Consideration must be given to the fact that statistics on reported offences tend to provide an incomplete picture of the scope of violence against women. The Crime Victims Compensation and Support Authority has initiated a special study aimed at assessing the true nature of these crimes and at quantifying the resources that would be needed to stop them.

Combating domestic violence against women

20. The Government has given high priority to the implementation of policy measures aimed at preventing and eliminating violence against women. Various measures have been introduced including preventive measures, stricter penalties, procedural improvements and better support for the victims of violence. In February 1998, the Swedish Government introduced a Bill containing a coordinated action programme for combating violence against women. The Swedish Riksdag adopted the Bill in the spring of 1998. Some of the measures in the programme are cited below.

21. A new offence, "gross violation of a woman's integrity", was incorporated in the Penal Code (chap. 4, sect. 4a) on 1 July 1998. It concerns repeated punishable acts committed by men against women who have, or have had, a close relationship with the perpetrator. In essence, if a man commits criminal acts (assault, unlawful threat or coercion, sexual or other molestation, etc.) against a woman to whom he is or has been married or with whom he is or has been cohabiting, he shall be sentenced for gross violation of the woman's integrity as well as for

each specific offence he may have committed. This provision allows the courts to increase the severity of penal sanctions for the offences. A necessary precondition is that the acts were part of a pattern of repeated violation of the woman's integrity and, as is often the case with domestic violence, were intended to seriously impair her self-confidence. The punishment is imprisonment for a minimum of six months and a maximum of six years.

22. Stricter penalties have also been introduced for the offence of genital mutilation. The offence is punishable by imprisonment for a maximum period of four years for a common crime. The minimum sentence for the crime in its aggravated form has been extended by one to two years. Preparing or conspiracy to commit the crime or neglecting to report or reveal genital mutilation, will also be punishable. On 1 July 1999, moreover, criminal responsibility was extended to include any person performing an act of genital mutilation in another country.

23. A parliamentary committee has been instructed to undertake a complete review of the provisions governing sexual offences and to consider whether the legislation needs to be made more stringent in some respects. The committee has been instructed to finalize its work by September 2000.

24. With regard to supportive measures, a national centre for battered and raped women was set up in 1994. Its brief is to admit and administer to women who are victims of abuse, rape, etc. and to help improve treatment standards for such patients in the health-care system. The Centre, which is on call 24 hours a day, is thus also involved in development work, research, training, etc.

25. Furthermore, the Social Services Act has been supplemented by a new provision (sect. 8a) requiring the Social Services to adopt measures aimed at ensuring that women who are or have been subjected to violence or other abuse in the home receive support and assistance in changing their life situations. The National Board of Health and Welfare has been instructed to draw up general guidelines for social work in the light of the new provision.

26. As regards preventive measures, the Government has instructed relevant authorities to take a joint approach to tasks aimed at addressing the root causes of violence against women. The aim is to give concrete expression to the duty of authorities to take appropriate measures on issues concerning violence against women. These tasks involve the Office of the Prosecutor-General and all prosecution authorities, the National Police Board and all police authorities, the National Council for Crime Prevention, the National Prison and Probation Administration, the Crime Victims Compensation and Support Authority, the National Board of Health and Welfare, the county councils and, in certain respects, the National Courts Administration.

27. Each of the above authorities has been instructed to step up efforts to prevent violence against women, draw up an action plan or policy document for its activities in this sphere, engage in mutual collaboration with other authorities and with relevant voluntary organizations, follow international developments concerning violence against women and report regularly to the Government on steps taken. The National Police Board has been directed to draw up an

inventory of cases involving violence against women investigated by the police and report these to the Government. The inventory is to include an account of the extent to which adequate information is provided to victims of crime.

28. The National Council for Crime Prevention was instructed to carry out a study of the practical and technical implications of electronic monitoring of men who breach a restraining order. The Council has reported its findings to the Ministry of Justice, where the legal and other implications of such monitoring are now being considered.

29. To meet the need for better understanding among professionals in the field, the issues of gender equality and violence against women are now subjects forming part of the examination requirements in a number of disciplines such as law, medicine, psychology, psychotherapy, nursing, social care and social work. The subjects have been incorporated in the examination requirements of the Police Academy for some time.

30. In consultation with the National Courts Administration, the Prosecutor-General and the National Board of Health and Social Welfare, the Government has instructed the National Police Board to implement a nationwide training programme designed to reach a wide cross-section of employees in the police and prosecution authorities, the Social Services, etc. at central, regional and local level. Training and information for judges will also be provided.

31. The Government has supported various measures aimed at counteracting violence against women. In recent years, several men's organizations have been established for the purpose of helping and supporting men who are at risk of committing or who have committed violent crimes against women.

32. The Government has set up a Web site on issues relating to violence against women. The Internet address is www.kvinnofrid.gov.se.

Prostitution

33. Prostitution is another area associated with violence against women. Obtaining casual sexual services (prostitution) against payment was made illegal on 1 January 1999 by virtue of a new act prohibiting the purchase of sexual services. Punishment is a fine or imprisonment for up to six months. The offence, or attempted offence, includes all forms of sexual services, whether purchased on the street, in brothels, in so-called massage parlours, etc.

34. The legislation should also be seen as an expression of public attitudes towards prostitution, i.e. that prostitution is a non-desirable social phenomenon. However, it is not reasonable to punish the person selling a sexual service, as that person is generally the weaker party in the relationship.

Article 6

Guidelines on article 6, paragraph 1

35. Sweden is a party to ILO Conventions No. 122 of 1964 (on Employment Policy) and No. 111 of 1958 (on Discrimination (Employment and Occupation)).

36. Sweden is also a party to the International Convention on the Elimination of All Forms of Racial Discrimination and to the Convention on the Elimination of All Forms of Discrimination against Women.

Guidelines on article 6, paragraph 2 (a)-(c), (e) and (f)

37. In the concluding observations (para. 12), the Committee urged the Government to fight unemployment. For a full account of Swedish employment policies reference is made to the Swedish National Employment Action Plan, including its Follow-up Report (annexes 1 and 2).

38. Reference is further made to the Swedish reports of September 1996 and September 1998 concerning the implementation of ILO Convention No. 122, and to the report of November 1998 in compliance with ILO Convention No. 142 (on Human Resources Development) of 1975.

39. A summary of the contents of these reports is given below.

Labour market policy

40. An active labour market policy forms part of Sweden's general economic policy, the aim of which is high growth, full employment, low inflation, regional balance, long-term sustainable development and equitable distribution of economic resources. The specific tasks of labour market policy is to promote growth and employment by increasing the flexibility of the labour market, overcoming the imbalances existing in various sub-markets, counteracting inflationary bottlenecks, improving manpower skills, and preventing segregation and the permanent displacement of people from working life by counteracting discrimination and promoting diversity. The cornerstone of Swedish labour market policy is its employment strategy. This is based on the implementation of a wide range of measures aimed at enhancing job opportunities for unemployed people. These measures, which include training, work experience or access or other forms of vocational preparation, take priority over passive handouts in the form of unemployment benefits.

41. This policy has been successful for years and Sweden has traditionally been distinguished by a high level of aspiration with regard to total employment and by an internationally low rate of open unemployment. During the 1990s the country suffered from economic imbalances which made it difficult to maintain the same previous level of employment. Between 1990 and 1997, the total number of people in employment declined by more than 500,000, the percentage of the population in work (aged between 16 and 64) fell from 82 to 71. The Government and the Riksdag (parliament) have attempted to alleviate the effects of falling employment by extending labour market policy programmes and augmenting regular training opportunities. A rise in the level of unemployment has, however, been unavoidable. Unemployment during 1997, at 8 per cent, was five times as high as in 1990.

42. Development has taken a more positive turn during the past year, thanks to an international upturn and to an improvement in the competitive strength of Swedish manufacturing enterprises. The number of people in employment is now rapidly increasing. The average annual unemployment rate fell to approximately 5.6 per cent during 1999.

43. The international economic outlook and the national economic situation will nevertheless not permit a rapid reversion to higher levels of employment. In the longer term, job opportunities will have to be created in new areas. Inevitably, the shortage of job opportunities will, in the foreseeable future, entail a sizeable and continuing need for job creation measures on behalf of disadvantaged groups such as the disabled, young people, persons with an immigrant background and other unemployed persons.

Labour market measures

44. The Government has introduced training measures aimed at promoting both occupational and geographical mobility, preventing bottlenecks in labour supply and facilitating processes of structural change in the economy. Measures include employment training, on-the-job training, workplace introduction and various job-seeker activities.

45. Employment training spans virtually all occupational fields and all levels, from preparatory courses and general theoretical training to courses at university level. Employment training consists largely of vocational training. Courses vary in duration from a few weeks to several months. Employment training is free of charge and participants receive a training allowance equal to their unemployment benefit or other amount. A follow-up of vocational employment training in 1996 showed that 36 per cent of those completing their vocational training were in employment six months later, as compared to 25 per cent in 1993 and 74 per cent in the boom year of 1989.

46. On-the-job training is a scheme under which government grants are paid in certain cases and under certain conditions to employers who provide employees with employment training or take on new personnel. The grant, introduced in July 1993, covers the actual cost of the training course, up to a maximum of SKr 60 per hour (maximum 920 hours) per employee for a period of two years.

47. Workplace introduction provides unemployed people with work experience and practice within enterprises. The job-seeker is not employed and no salary is paid but, with the exception of older job-seekers, immigrants and disabled persons, the employer pays a contributory charge of SKr 2,000 per month. Participants are entitled to a training allowance. For foreign nationals, the programme can be combined with Swedish language instruction.

48. A major innovation in the sphere of labour market policy measures is the new employment subsidy (anstallningsstod). This came into force on 1 January 1998 and replaced three previous job-creation measures: the temporary public employment scheme (beredsskapsarbete), recruitment subsidies (rekryteringsstod) and the temporary trainee replacement scheme (utbildningsvikariat). The purpose of the empioyment subsidy is to help long-term unemployed (people under 25 who have been out of work for at least 90 days, or people over 25 who have been unemployed for 12 months) registered at an employment service office to find a job. The employment subsidy is intended to encourage employers to bring recruitment forward and take on jobless people as those already in employment are given the opportunity to continue their training or education while retaining their salary. The employment

subsidy, which covers 50 per cent of the cost of the beneficiary's salary up to a maximum limit of SKr 350 per day, is payable to persons over 20 years of age and extended to employers for a maximum of 6 months (or 12 months in certain cases).

49. Another job-creation measure involves the allocation of financial support in the form of a start-up grant aimed at helping unemployed people start up their own businesses.

50. Unemployed people also receive various forms of financial assistance. These include unemployment benefit, supplementary unemployment allowance, wage guarantees, training allowances, study allowances for the unemployed and relocation grants.

Guidelines on article 6, paragraph 2 (d)

51. To the possible interpretation of guideline 2 (d) in article 6 that there should be no compulsion to work the following may be said.

52. A certain type of sanction, community service, can be interpreted as a form of forced labour. Reference is made in this connection to the reports submitted by Sweden in September 1996 and 1998 under the terms of ILO Convention No. 29 of 1930 (on Forced Labour).

Guidelines on article 6, paragraph 3 (a) and (b)

53. Reference is made to the reports submitted by Sweden in August 1995, February 1998 and November 1998 under the terms of ILO Convention No. 111 of 1958 (on Discrimination (Employment and Occupation)).

54. Particular attention should be paid to the three anti-discrimination laws cited on page 5 of the report of November 1998. The Act on Measures against Ethnic Discrimination in Working Life, the Act against Discrimination at Work on Grounds of Sexual Proclivity and the Act against Discrimination of Persons with Functional Impairment at Work came into force on 1 May 1999. In addition to this, the Office of the Ombudsman against Discrimination on the Grounds of Sexual Orientation (HomO) was officially inaugurated on 1 May 1999.

55. With regard to paragraph 3 (b) reference should also be made to the contents of paragraph 2 and to the report submitted by Sweden in August 1998 under the terms of ILO Convention No. 143 (on Migrant Workers (Supplementary Provisions)).

Women

56. Measures introduced to eliminate discrimination between women and men are discussed in the National Employment Action Plan, annex 1, section 18, and in the Follow-up Report, annex 2, page 15, under the heading Strengthening policies for equal opportunities. Reference is also made to pages 57–70 of the fourth periodic report submitted by Sweden under the Convention on the Elimination of All Forms of Discrimination against Women.

57. However, despite the erratic development of the labour market in the 1990s, the employment rate for women did not fall any further than that for men. At the start of the recession it was primarily men who were hit by rising unemployment as employment in industry dropped sharply. During the latter part of the 1990s, women were the first to be affected as a consequence of cuts in the public sector.

58. About 55 per cent of women work in the public sector with the remainder employed in the private sector. The corresponding figures for men are 20 per cent and 80 per cent respectively. Although occupation and choice of education are also gender-associated, increasing numbers of women in particular have been making unconventional choices when planning a university career. However, the distribution remains considerably more traditional in occupations not requiring a university degree and in education below university level.

59. The problem of a sexually divided labour market is being tackled by encouraging men and women to make occupational and educational choices not traditionally associated with their sex, by increasing the number of female entrepreneurs, by requesting universities to give higher priority to gender equality when recruiting for undergraduate studies as well as research, by supporting research on equal opportunity and by the introduction of an Equal Opportunities Act.

60. The Equal Opportunities Act, which contains provisions on equality between women and men in working life, is composed of two parts. The first contains provisions enjoining employers to take certain active steps to promote equality in the workplace. An employer who does not comply may be directed to do so on penalty of a fine. The second part comprises a number of provisions prohibiting gender discrimination. The Equal Opportunities Ombudsman is responsible for following up cases of non-compliance with the Act and can also bring cases of discrimination before the Labour Court.

61. The provisions regarding sexual harassment in the Equal Opportunities Act were strengthened on 1 July 1998. Sexual harassment was defined as unwelcome behaviour of a sexual nature, or other unwelcome behaviour based on sex, which violates an employee's integrity at work. Secondly, the Act now makes it clear that employers are required to take active measures to prevent and impede an employee from being exposed to sexual harassment. Finally, an employer who receives information that an employee has been exposed to sexual harassment by another employee must investigate the circumstances surrounding the alleged harassment and, where necessary, take such steps as may be reasonably required to prevent such harassment from continuing.

People from immigrant backgrounds

62. The Government's general integration policy, which is also aimed at improving the situation of immigrants as regards employment, is described in article 2.

63. A wide array of measures aiming at reducing unemployment have already been initiated by the Government. Some of these form part of its general welfare policies while others are targeted specifically at refugees and immigrants. Initiatives include measures aimed at increasing skills, subsidies to employers who take on trainees from non-Nordic backgrounds and increased funding to employment offices in "areas with a high concentration of immigrants".

64. A particular responsibility of the State is to set a good example in bringing about ethnic and cultural diversity in all areas and levels of society. In June 1999, the Government therefore decided on a number of measures in this respect. These include:

An Action Plan for Diversity, to be drawn up by the Government Offices;

Action plans for the promotion of ethnic diversity as required by the new Act on Measures against Ethnic Discrimination in Working Life, to be drawn up by public authorities;

Mainstreaming of all public authority activities aimed at promoting the integration of people from immigrant backgrounds;

The appointment of a commission to assess the extent to which ethnic and cultural diversity in society is reflected in decision-making in different spheres and at different levels;

A commission to assess the feasibility of using anti-discrimination clauses in public procurement;

A government report on the current state of integration in the country and the measures taken by Government to promote integration, to be submitted to the Riksdag in 2002.

65. Another example of efforts to promote diversity in the workforce is government financial support for the Sweden 2000 Institute, an association of employers from the public and private sectors aimed at promoting workforce diversity.

66. The Swedish Agency for Government Employers has published guidelines for the promotion of ethnic and cultural diversity within the government administration.

67. In 1999, the Ombudsman against Ethnic Discrimination published two handbooks for employers. One deals with specific approaches to promoting ethnic diversity in the workplace. The other (published in cooperation with other Ombudsmen) addresses the problem of recruiting without discrimination.

68. Reference is also made to the thirteenth and fourteenth reports submitted by Sweden under the International Convention on the Elimination of All Forms of Racial Discrimination.

Young people

69. Young people are among the groups hardest hit by high unemployment. In framing its employment policy, the Government has accorded high priority to this group with a particular view to eradicating long-term unemployment among young people.

70. Between October 1994 and August 1998, a total of 565,000 young people were involved in labour-market measures. Thus an average of 56,000 young people a month, corresponding to 5.8 per cent of all people in this age group, were involved in some kind of measure during this

period. Labour market measures include the general programmes or schemes and those especially designed for young people (see National Employment Action Plan, annex 1, pp. 10-11, and the Follow-up Report, annex 2, pp. 3–5).

Disabled persons

71. People with functional disabilities have generally found it more difficult to compete in the open labour market. Only about 50 per cent have jobs, as compared with 72 per cent for the population as a whole. The aim is not only to facilitate the entry of disabled persons into the labour market, but also to support their development and prevent them from dropping out.

72. Among the instruments for achieving this aim are the Law on Employment Protection, and the provisions on rehabilitation and work adaptation in the Work Environment Act. Severely disabled people receive individual support.

73. Finally, as mentioned above (para. 54), the new Act prohibiting Discrimination against Functionally Impaired Persons in the Workplace came into force on 1 May 1999. The purpose of the Act is to protect both job seekers and employed from discrimination.

74. The Ombudsman for Disabled People is responsible for monitoring compliance with the new law, and can also bring cases of discrimination before the Labour Court.

Guidelines on article 6, paragraph 3 (c)

75. With the exception of the items specified in the report of February 1998 on ILO Convention No. 111, page 9, no amendments have been made during the period in question.

Guidelines on article 6, paragraph 4

76. Sweden has produced figures on the incidence of secondary occupations among the gainfully employed. However, the figures do not show whether the primary occupation is full time, or whether the reason for the secondary occupation is to secure an adequate standard of living.

77. The following figures show the percentage of gainfully employed people with secondary occupations:

1994 8.2 per cent
1995 8.1 per cent
1996 8.8 per cent
1997 8.7 per cent
1998 8.7 per cent

Guidelines on article 6, paragraph 5

78. The new Act on Measures against Ethnic Discrimination in Working Life, in force since 1 May 1999, prohibits both direct and indirect discrimination, irrespective of the existence

of discriminatory intent on the part of the employer. It also requires employers to take active measures to promote ethnic diversity at the workplace. The Act covers protection against ethnic discrimination throughout recruitment process, as well as treatment of employees.

79. The Public Employment Act came into force on 1 July 1994, thereby replacing the preceding Public Employment Act.

80. A new Supplementary Employment Allowance Act also came into force during the reporting period.

81. Labour market policy measures are regulated by a number of Acts and ordinances aimed at facilitating access to jobs, especially for the most affected groups. These Acts and ordinances change from year to year, and include:

The Activities Support Ordinance (1996:1100),

The Employment Training Ordinance (1987:406),

The IT Training Ordinance (1997:1159),

The Employment Development Act (1997:1266) and Ordinance (1997:1277),

The Workplace Introduction Act (1995:705) and Ordinance (1995:711),

The Computer Activities Centres Ordinance (1995:713).

82. A number of major changes have been incorporated into the Employment Protection Act. One example is the introduction of a new form of employment, namely limited-period employment. This category may be applied in any given case for a maximum aggregate period of 12 months over a 3-year period. No period of employment may be shorter than one month. In addition, the notice of termination must now reflect the actual period of employment as opposed to the earlier practice of linking the period to the employee's age. In addition, a provision has been introduced to the effect that a part-time employee wishing to work more hours - up to a maximum of full time - shall be given priority over other applicants for the job. These changes came into force on 1 January 1997. On 1 January 2000, additional changes will come into force to the effect that if an employee has worked at the same place as a substitute for an aggregate period of more than three years during the immediately preceding five-year period, her/his position automatically becomes permanent.

Article 7

Guidelines on article 7, paragraph 1

83. Sweden is a party to ILO Conventions No. 100 of 1951 (on Equal Remuneration), No. 14 of 1921 (on Weekly Rest (Industry)), No. 132 of 1970 (on Holidays with Pay), No. 81 of 1947 (on Labour Inspection (Industry and Commerce)), No. 129 of 1969 (on Labour Inspection (Agriculture)), and No. 155 of 1981 (on Occupational Safety and Health).

Guidelines on article 7, paragraph 2 (a)

84. Reference is made to paragraph 70 of the third periodic report, with the following additions: pay negotiations have to a large extent been decentralized; the amount of wages to be set aside to cover pay rises in accordance with collective agreements is in some cases decided entirely at company level; wages for individuals are normally set through local collective agreements at company level.

Guidelines on article 7, paragraph 2 (b)

85. Sweden has no minimum-wage legislation. Pay levels are set through collective agreements which sometimes include rules on minimum wages.

Guidelines on article 7, paragraph 2 (c)

86. Reference is made to the reports of September 1996 and November 1998 concerning ILO Convention No. 100 of 1951 (on Equal Remuneration).

87. One objective associated with the work of establishing equality in the workplace is that men and women shall have equal rights and opportunities with regard to wage-setting. On average, women currently earn 20 per cent less per hour than men. Most of this income gap is due to the high incidence of part-time work among women. Some of the discrepancy can be explained by factors such as education or choice of profession. However, there are pay differentials which cannot be explained by any other factor than gender. Such differentials are neither justified nor permissible under Swedish law.

88. A pay differential between two people of different sex performing the same or similar work may constitute unlawful discrimination.

89. Primary responsibility for setting pay rates and counteracting non-objective pay differentials rests with the parties in the labour market. Nevertheless, the Swedish Government has recently taken a number of steps to counteract such pay differentials.

90. Additional resources have been allocated to the Equal Opportunities Ombudsman with a view to intensifying the latter's efforts to address pay differentials. Government authorities have been instructed to give an account of their efforts to review and eliminate pay differentials. Funds have been allocated to Statistics Sweden for the further development of statistics on women's and men's wages. Finally, the commission (mentioned above under article 6, paragraph 3 (a)) appointed to examine certain sections of the Equal Opportunities Act has also been instructed to review issues arising in connection with the principle of equal pay for equal value and to carry out research into alternative methods of job evaluation.

91. At the request of the National Institute for Working Life, Statistics Sweden has been directed to publish an annual summary of men's and women's pay. A regulation stipulating that all statistics relating to individuals must be broken down by gender has been in force for some years now.

92. Job evaluation is another method. The Government has commissioned the National Institute for Working Life to carry out research into job evaluation and pay differentials between men and women.

Guidelines on article 7, paragraph 2 (d)

93. Income distribution for Swedish employees, SKr thousands per year:

Year	Private sector, men	Private sector, women	Public sector, men	Public sector, women
1989	204.1	156.7	175.4	146.2
1993	241.5	192.3	224.1	177.5
1996	281.0	217.4	235.8	194.9

Guidelines on article 7, paragraph 3

94. Reference is made to the report of October 1997 under ILO Convention No. 81 of 1947 (on Labour Inspection).

95. Reference is further made to paragraphs 74–82 of the third periodic report, and the second periodic report on the International Covenant on Economic, Social and Cultural Rights (E/1984/7/Add.5, art. 7, B 1–2). As regards the Work Environment Act, important amendments were made to this Act in 1994. The purpose of the Act was redefined, its new object being to prevent ill-health and accidents at work and maintain a good working environment generally. New sections were incorporated to accommodate a number of supplementary provisions. One such stipulates that a person engaged in activities at a place of work must ensure that she or he does not expose any other person working there to the risk of ill-health or accident. Responsibility for coordination was more closely defined through more detailed provisions. Another new section contains provisions defining the liability of a person in charge of a place of work and that of a person who engages hired labour on contractual basis.

96. The National Board of Occupational Safety and Health now has powers under chapter 4, section 8 of the Act to require that other parties besides employers compile documentation on safety and health at work. The Board has also been empowered to extend the applicability of the Work Environment Act to one-man and family businesses.

97. A new provision in the Act entitles safety delegates to gain admittance to a place of work in the charge of an employer other than her/his own.

98. Section 11 in chapter 7 was extended to include the power of intervention against goods delivered by means of provisions governing warning information and recall.

99. Another section provides for a penalty charge instead of criminal sanctions for breaches of the law. Decisions as to which areas to be subject to charges and how these are computed rest with the Board. The introduction of a charge precludes criminal sanctions in the area concerned. In areas where criminal sanctions are retained for breaches of the law, imprisonment has been removed from the scale of penalties.

Guidelines on article 7, paragraph 3 (a)

100. No changes of importance have been made since the third periodic report (para. 84).

Guidelines on article 7, paragraph 3 (b)

101. The number of reported occupational accidents was 122,280 (of which 206 were fatal) in 1986, 72,979 (of which 123 were fatal) in 1991 and 35,623 (of which 91 were fatal) in 1996.

102. For the whole of paragraph 3, reference is also made to Swedish reports on the implementation of the European Social Charter, article 3 (annex 3).

Guidelines on article 7, paragraph 4 (a) and (b)

103. See paragraph 3 of the guidelines on article 6.

104. Reference is also made to Swedish reports of August 1995, February 1998 and November 1998 under ILO Convention No. 111 (on Discrimination (Employment and Occupation)) of 1958.

Guidelines on article 7, paragraph 5

105. As regards reasonable limitations on working hours, changes have been made in the Working Hours Act, primarily as a result of the EC Working Time Directive (93/104/EC of 23 November 1993 on certain aspects of the organization of working time). For an account of these changes, reference is made to the report of October 1998 to ILO Convention No. 47 of 1935 (on the Forty-Hour Week).

106. The amendments to the Working Hours Act, which came into force in November 1996, are summarized as follows: exemption with reference to a collective agreement from certain provisions of the Act has been limited; an exemption is not acceptable if it results in less favourable terms for the employee than those provided for in the EC Directive; similarly, an agreement is null and void if its terms are less favourable than those provided for in the Directive.

107. An employer who implements provisions that violate the Working Hours Act is liable to damages for any financial loss or violation of the personal integrity of the offended party.

108. The powers of the National Board of Occupational Safety and Health to grant exemptions in certain cases from provisions in the Act has also been circumscribed. Under the above amendments, such exceptions may not result in less favourable terms for employees than those provided for in the EC Directive.

109. No major changes have been made to the Annual Leave Act of 1977. Reference is made to the third periodic report (para. 88).

110. The Parental Leave Act, which came into force in 1995, replaced the Act of 1978 on the Right to Leave for Care of Children. Though adjusted in conformity with EC regulations on security and health for pregnant workers, the new Act contains no substantial changes.

111. The Act on the Right to Leave to Run a Business came into force in 1998. Its purpose is to make it possible for a person wishing to run a business to do so without risking her/his current employment. The aim is to facilitate the starting up of private businesses. A person running a business while employed is entitled to a period of leave so that she or he can run the business full time.

112. The new Act on the Right to Leave for Pressing Personal/Family Reasons was introduced to comply with the EC Directive 96/34 on parental leave. An employee is entitled to leave if an urgent situation arises – by which is meant a case of force majeure involving illness or accident to a member of her/his family and requiring her/his immediate presence.

113. Reference is also made to the Swedish reports on the implementation of the European Social Charter, articles 2.3 and 2.5 (annex 3). Reference is further made to the reports on ILO Conventions No. 14 of 1921 (on Weekly Rest (Industry)), No. 132 of 1970 (on Holidays with Pay) and No. 47 of 1935 (on the Forty-Hour Week).

Guidelines on article 7, paragraph 5 (b)

114. See the third periodic report (paras. 90–91).

Guidelines on article 7, paragraph 6

115. With regard to major changes in the area concerning the right to just and favourable conditions of work, mention should be made of the amendments in The Work Environment Act (1977:1160) (see article 7, paragraph 3), and to the contents of the Swedish reports of August 1995, February 1998 and November 1998 under ILO Convention No. 111 of 1985 (on Discrimination (Employment and Occupation)).

Article 8

Guidelines on article 8, paragraphs 1-4

116. Sweden is a party to the International Covenant on Civil and Political Rights, ILO Conventions No. 87 of 1948 (on the Freedom of Association and Protection of the Right to Organize), No. 98 of 1949 (on the Right to Organize and Collective Bargaining), and No. 151 of 1978 (on Labour Relations (Public Service)).

117. Sweden is also a party to ILO Convention No. 154 of 1981 (on Collective Bargaining).

118. Reference is made to paragraphs 95-100 of the fourth Periodic Report submitted by Sweden under the International Covenant on Civil and Political Rights, and the reports of September 1996 and October 1998 under ILO Convention No. 87 of 1948 (on the Freedom of Association and Protection of the Right to Organize).

119. For data on trade unions and membership figures see the attached extracts from the Statistical Yearbook of Sweden 1995-1999 (annex 4).

Guidelines on article 8, paragraph 5

120. For changes in national legislation see the report of October 1997 on ILO Convention No. 98 of 1947 (on the Right to Organize and Collective Bargaining).

Article 9

Guidelines on article 9, paragraph 1

121. Sweden is a party to ILO Conventions No. 102 of 1952 (on Social Security Minimum Standards), No. 121 of 1964 (on Employment Injury Benefits), No. 128 of 1967 (on Invalidity, Old-Age and Survivors' Benefits), No. 130 of 1969 (on Medical Care and Sickness Benefits), and No. 168 of 1988 (on Employment Promotion and Protection against Unemployment).

Guidelines on article 9, paragraphs 2 and 3

122. All social security categories mentioned in paragraph 2 of the guidelines on article 9 exist in Sweden.

123. The national social insurance schemes cover all Swedish citizens and foreign citizens domiciled in Sweden. The schemes are financed by employer's contributions (statutory social security contributions paid by the employer or by self-employed people), by taxes and, from 1 January 1995, by contributions from the insured.

124. The various social security categories are briefly described under separate headings below. Comments refer mainly to changes made since the third periodic report.

Medical care

125. Reference is made to the latest Swedish reports on ILO Social Security Conventions Nos. 102 and 130.

126. The areas covered by medical care benefits are dental care, medical care, medical care treatment, medicine and allowance for travel expenses in connection with care. Medicine and dental care are financed by the State. Medical care, medical care treatment and allowance for travel expenses are mainly financed by the county councils.

Cash sickness benefit

127. Reference is made to the latest Swedish reports on ILO Social Security Conventions Nos. 102 and 130.

128. All insured persons who have reached the age of 16 and are registered with a social insurance office are entitled to sickness benefit, provided their annual income from gainful activity comes up to a certain, pre-established level. From 1 January 1998, the level was raised to 24 per cent of the base amount (approximately SKr 9,000).

129. Under the Sick Pay Act, the employer must compensate employees for loss of income (sick pay) due to illness for the first 14 days of a period of illness. From day 15 onwards, sickness benefit is paid by the social insurance offices. Under the sickness benefit and sick pay schemes, no benefit is payable for the first day of illness. After the non-benefit day, compensation is payable at 80 per cent of the amount estimated to have been lost through illness. A person taking part in vocational rehabilitation is entitled to the same compensation rate as for sickness benefit. Sickness and rehabilitation benefits are financed by employers' contributions.

Parental benefits

130. Under the parental insurance scheme, parental cash benefit is payable for a period of 450 days to a parent wishing to take time off work to look after her/his child. For the first 360 days, the benefit is 80 per cent of the parent's qualifying income. For the remaining 90 days parental cash benefit is payable at a fixed amount of SKr 60. Both parents are basically entitled to an equal number of benefit days. However, apart from 30 days, known as "mothers' and fathers' month", a parent can transfer her/his days to the other parent. A parent need not draw all her/his days at one time, and the entitlement remains until the child reaches the age of eight or finishes her/his first year of school.

131. A father is entitled to 10 days' leave of absence with temporary parental cash benefit on the birth of a child.

132. In certain circumstances, temporary parental cash benefit is payable for up to 120 days per child per year to a parent who takes time off work to look after a sick child under 12 years of age.

133. A care allowance is payable to parents of disabled children in need of care. The allowance is paid at quarter, half, three-quarter or full rate, according to the child's needs. The maximum allowance is 250 per cent of the base amount (the base amount in 1999 was SKr 36,400). The parental insurance scheme is financed by employer's contributions.

Old-age, invalidity and survivor's benefits

134. In Sweden, these three benefits form part of the basic pension and supplementary pension schemes. For a detailed description of the rules currently in force, reference is made to the third periodic report and to the latest Swedish reports on ILO Convention No. 128 (on Social Security).

135. Retirement age in Sweden is 65. However, it is possible to retire at any time between the ages of 61 and 70, with corresponding adjustments in the amount of pension received.

136. Widows' pensions, which form part of the basic pension scheme (under the transitional rules), have been subject to means testing since 1 April 1997.

137. Employees between the age of 61 and 65 may work part-time and receive a partial pension. This system will be abolished in 2005.

138. The Riksdag (parliament) has approved legislation introducing a new old-age pension system. The new rules for people covered by pension insurance and the rules governing qualification for pension rights came into force on 1 January 1999. Pensions will be paid under the new rules from 2001. Invalidity and survivor's pensions will also be adapted to the new system for old-age pensions.

139. Old-age pensions are financed by employer's contributions, contributions from the insured and by taxes. Invalidity pensions and survivors' pensions are financed partly by employers' contributions and partly out of taxes. Partial pensions are financed out of taxes.

Other disability benefits

140. A person who has a functional impairment or a long-lasting illness and needs technical aids or equipment to be able to work or return to work may qualify for a disability allowance. This allowance is financed out of taxes.

Occupational injury benefit

141. Reference is made to the last Swedish report on ILO Social Security Convention No. 121. Occupational injury benefits are financed by employers' contributions.

Unemployment benefit

142. Sweden has a State-subsidized unemployment insurance system, administered by 40 approved unemployment insurance funds; 39 of these are attached to trade unions or organizations representing self-employed people. Each fund is associated with a specific sector of the labour market and is open to all who work within that sector. One of the unemployment insurance funds, founded on 1 January, 1998, has a wider ambit and is open to people from all sectors of the labour market. The new fund also administers basic benefit for non-members. Unemployment benefit comprises income-related benefits and the basic benefit.

143. Income-related benefit is subject to certain limits. As of September 1997, the rate of compensation was raised from 75 to 80 per cent of the insured person's normal income prior to unemployment. The maximum benefit is SKr 580 per day.

144. The basic benefit is not based on earlier income. The basic benefit is SKr 240 per day, proportionally less if the job prior to unemployment was part time.

145. In 1999, the Ministry of Industry, Employment and Communications appointed a working group to review the application of certain unemployment insurance rules. The working group presented its findings in a report in November 1999. A Bill will be introduced in the Riksdag on the basis of this report at the beginning of 2000.

Family benefits

146. Family benefits in Sweden comprise child benefit, supplementary allowance for families with three or more children below the age of 16 and housing benefit. For details of these benefits, reference is made to the third periodic report and to the latest report on ILO Social Security Convention No. 102. Family benefits are financed out of the State budget.

Guidelines on article 9, paragraph 4

147. In 1996, total social welfare expenditure, including social security benefits, amounted to SKr 590,248 million, or 35 per cent of GNP. In 1986 expenditure amounted to SKr 300,669 million, or 31.7 per cent of GNP.

Guidelines on article 9, paragraph 5

148. Reference is made to the third periodic report.

Guidelines on article 9, paragraph 6

149. Anyone unable to provide for her-/himself is entitled to social security benefit, regardless of how the need arose. This benefit is of particular importance to young people and immigrants since they normally do not qualify for national social insurance benefits. The entitlement is laid down in the Social Services Act and is administered by municipally run Social Services. The benefit rate is based on a minimum national level. Social security is financed by the respective municipal councils.

Article 10

Guidelines on article 10, paragraph 1

150. Sweden is a party to all the conventions listed in article 10 except for ILO Convention No. 103, which is now under review. Sweden has been taking an active part in the work of transforming the Convention into a modern instrument which recognizes the principle of joint parental responsibility for the family.

151. Sweden's second report under the Convention on the Rights of the Child (CRC/C/65/Add.3) was submitted in 1997.

Guidelines on article 10, paragraph 2

152. The term "family" is not defined in Swedish law. In the official statistics on population it is used to denote two people who are living together in a permanent relationship, whether married or unmarried, with or without children. A single parent with a child also constitutes a family.

Guidelines on article 10, paragraph 3

153. Reference is made to paragraphs 177-213 of the second periodic report submitted by Sweden on the Convention on the Rights of the Child. Please note that in paragraphs 195 and 196 the word "access" should be changed to "contact". In paragraph 209, the number "18" should be changed to "19".

Guidelines on article 10, paragraph 4 (a) and (b)

154. Reference is made to paragraphs 146-148.

155. A divorce shall be preceded by a reconsideration period if one of the spouses is living on a permanent basis with a child of her/his own who is under 16 years of age and of whom the spouse has custody.

156. A number of changes in the law have been introduced since the publication of the third periodic report. The Children and Parents Code was amended on 1 October 1998; greater emphasis was placed on the importance of reaching agreement on custody, residence and contact in the event of separation, and to facilitate joint custody where parents do not live together. The law expressly states that contact with a parent with whom the child does not live shall be a right of the child and that both parents - hence also the parent that does not live with the child - are responsible for ensuring that the child's need for parental contact is met.

157. Parents may resolve questions regarding custody, residence and contact by entering into an agreement approved by the local (municipal) social services committee. An approved agreement is legally valid, enjoying the same legal status as a court order.

158. Parents are entitled to seek the help of professional counsellors in reaching agreement on matters concerning custody, residence and contact. Municipal councils must ensure that so called "cooperation talks" are available to parents who request them. They must also ensure that parents can obtain help to draw up agreements on custody, residence and contact.

159. Cohabitation is very common in Sweden. Today, 49 per cent of all children are born into families whose parents are not married. In the majority of such cases (90 per cent), the parents live together; of these 95 per cent have joint custody of their child(ren). Joint custody is less frequent (approximately 50 per cent) in the case of parents who do not live together.

160. All parents who study or work are entitled to child day-care.

161. A child allowance of SKr 750 per month is payable to every child under 16 years. The allowance is free of tax and is not income-related. A supplementary allowance is added in the case of families with three or more children, or with children in upper secondary school. The same applies to single-parent families and families on low income whose living expenses are higher than normal. The taxation system makes no provision for deductions for children.

162. Parents are entitled to special instruction in child development, children's needs and parenthood. It is the responsibility of municipal social services to provide services to families with special needs. A primary aim of these services is to avoid placing children outside the home by providing parents with suitable support. Parents undergoing or having undergone a separation can take part in "co-active discussions" arranged by the municipal council and aimed at helping them to resolve questions of custody, residence and contact. Services provided at this level are free of charge. Only if the child is placed outside the home can a municipal council charge a reasonable fee to cover the costs of placement. It is also the responsibility of the municipal council to provide family counselling(couple counselling) services to those who seek them. The council may charge a fee for these services. The relevant provisions are set out in the Social Services Act.

163. Regarding the right to enter into marriage with the partners' full and free consent, reference is made to paragraph 207 of the second periodic report submitted by Sweden under the Convention on the Rights of the Child.

164. The following qualifications may be added. A person under 18 years of age may not enter into marriage without the permission of the County Administrative Board. According to Swedish international private law, however, if the right to marry has been adjudicated in accordance with the law of another State, permission from the County Administrative Board is required only if the person is under 15 years of age. This means that a person aged 15-17 can marry in Sweden without the consent of the County Administrative Board if her/his country's laws allow her/him to do so. This entitlement has been criticized and referred to a committee of inquiry for consideration. The committee's findings have been circulated for comment and the issue of a minimum age for marriage in the case of people with international backgrounds is now being considered by the Ministry of Justice.

Guidelines on article 10, paragraph 5

165. Reference is made to the guidelines on article 9, paragraphs 2 and 3.

166. Sweden provides families with children with an extended range of benefits and services. Expectant mothers receive support from a nationwide network of maternity clinics which monitor individual pregnancies to ensure that there are no complications and prepare parents for the birth of their child. The health and development of young children are monitored on a regular basis at child health care clinics, which also provide advice and support.

167. Under the Swedish Child Care Act, an employee is entitled in her/his capacity as a parent to leave of absence to look after a child (or children) until it has reached the age of 18 months. Even after the child reaches this age the employee is entitled to leave of absence provided that

parental cash benefit is drawn. In addition, the parent has the right to shorten her/his working hours to three-quarter time until the child reaches the age of eight or has finished her/his first school year.

Guidelines on article 10, paragraph 6

168. Reference is made to the second periodic report submitted by Sweden under the Convention on the Rights of the Child.

169. The provisions requiring municipal councils to ensure that children and young persons grow up in a good and secure environment are set out in the Social Services Act of 1980. The Act, which forms the basis of social welfare in Sweden, provides for a range of supportive and preventive measures, which are applied with the approval and consent of the individuals concerned.

170. It should be noted that provisions on child care have been transferred from the Social Services Act to the Education Act.

171. The Social Services Act was amended on 1 January 1998. Some of the amendments lay special emphasis on the importance of acting from the child's perspective. Section 1 states that where measures affect children, special consideration shall be given to the best interests of the child. Steps shall be taken to ensure that the child's own outlook and position are clarified as far as possible. The child's age and level of maturity must be taken into account when eliciting her/his views (Section 9). Rules clarifying procedures to be followed when conducting investigations have been introduced (Section 50 a). Among other things, these state that an investigation must be completed within four months. If placement outside the home is necessary, those responsible for the child's welfare must consider the possibility of placing her/him with a relative or some other closely connected person, provided this is compatible with the best interests of the child. This requirement took effect on 1 January 1999.

172. On 1 November 1998, a total of almost 10,500 children had placements outside their homes. 8,200 were living in family homes (foster homes) and the rest were in institutional care. Almost 7,300 of these children had been placed in care under the provisions of the Social Services Act, the remainder were placed in compulsory care. The corresponding number of children in care in 1987 was 11,200.

173. The number of children receiving care and support from the municipal social services rose in the 1990s. Recent years have seen the development of a variety of approaches to different methods for non-institutional care aimed at helping children and their families in their own environment.

174. On the question of adoption, reference is made to paragraphs 404-413 of the second periodic report submitted by Sweden under the Convention on the Rights of the Child.

175. In its concluding observations (paras. 10 and 13), the Committee expressed its concern about the problem of child pornography and the lack of information on this issue. It urged the

Swedish Government to intensify its efforts to combat child pornography and measures for monitoring and registering all such cases. It referred to the need to ensure that appropriate penalties are imposed for such offences.

176. On 1 January 1999, new legislation extending criminal liability for association with child pornography came into force. Virtually all association with child pornography images, including possession, constitutes a criminal offence. Import and export of child pornography are also prohibited. The legislation applies to media of all kinds including the electronic environment.

177. The definition of child pornography is the depiction of a child in a pornographic picture. The picture need not depict a child involved in sexual activity of any kind. Any picture otherwise depicting a child in a way likely to appeal to a person's sexual instincts is also regarded as child pornography. This might apply, for example, to nudist films featuring close-ups of nude children.

178. Under the new provisions, a child is defined as a person who is not fully sexually mature, or who is evidently under 18 years of age judging from the child's appearance in the picture or from the circumstances relating to the scene in which she or he appears.

179. A person who has committed an offence under the new Act on child pornography shall be sentenced to imprisonment for a maximum of two years or, if the crime is petty, to a fine or imprisonment for a maximum of six months. A person found guilty of aggravated child pornography shall be sentenced to imprisonment for a minimum of six months and a maximum of four years. In determining whether an offence is aggravated, consideration shall be given to a number of factors, such as whether the activity was conducted on a large scale for material advantage, and whether the children concerned were subjected to particularly ruthless treatment.

180. Inadvertent acts of dissemination are also punishable if they occur in the course of commercial operations or are otherwise committed for material gain.

181. However, punishment for a child pornography offence shall not be imposed if the circumstances are justifiable, i.e. if an act is committed for research, public information or opinion-making purposes.

182. Under the new legislation, attempted child pornography excluding petty offences, or attempted aggravated child pornography or the preparation of such an offence are also punishable. Punishment shall also be imposed for instigation of or being an accessory (aiding and abetting) to any child pornography offence.

183. Under a law on criminal liability for persons who maintain electronic bulletin boards, the supplier of such a service must take steps to prevent further distribution of any message clearly containing child pornography. This law came into force on 1 May 1998.

184. The National Criminal Investigation Department is responsible for police work in cases of sexual exploitation of children, including child pornography. The Special Objects Unit, which is responsible to the Criminal Intelligence Service, deals with such cases. This division informs Interpol when an investigation reveals data with international ramifications. The National

Criminal Investigation Department has issued an action plan for international police work on child sex offences and child pornography. The Department's tasks, as outlined in the action plan, are to:

Document child sex abuse and the circulation of child pornography;

Collaborate with other organizations;

Establish cross-matching procedures for child pornography material;

Further develop these procedures;

Assist with searches and provide investigative resources;

Prevent child sex abuse with the help of liaison officers;

Assist with training.

185. No statistics on the results of this extended legislation on child pornography are as yet available. However, data collection will be made easier when all cases of child pornography are dealt with by the Public Prosecutor in accordance with ordinary statute law, which will now be the case under the new legislation. Accordingly, from 1 December 1999 official statistics will include all reported cases of child pornography offences.

186. Although different forms of sexual abuse of children, such as those that may have taken place in front of the camera during the production of a film, are punishable under other provisions (on sex crimes) in the Penal Code, dissemination or possession of such a film may of course constitute a child pornography offence.

187. Chapter 6 of the Penal Code deals with sex crimes. Most penal provisions on sexual offences relate to actions committed against both children and adults. However, the attitude to child abuse is normally stricter than in the case of adults, which means that it may be subject to higher penalties. In addition, children are in need of special protection against sexual abuse. There are therefore special provisions designed to protect children against this form of abuse.

188. The purpose of the penal provisions is to protect children against the entire gamut of offences, from aggravated rape, the most serious sexual offence, to acts classified under the heading of sexual molestation, e.g. indecent exposure before a child. The age of sexual consent is 15 years. The relationship between a perpetrator and her/his adoptive child is deemed to be the same as that between a perpetrator and a child who is the offspring of the perpetrator.

189. A number of legislative measures have been adopted in the last few years with a view to meeting the obligations relating to the protection of children against sexual abuse laid down in the Convention on the Rights of the Child. The scope of the provisions on sexual exploitation of minors has been extended. Some penalties have been made more severe. It is now a punishable offence to cause a person aged over 15 but under 18 years to pose in the nude or participate in

the production of pornographic images. The limitation period for sexual abuse of children has been extended and now runs from the fifteenth birthday of the child concerned and not, as is normally the case, from the date when the offence was committed.

190. A new offence - gross violation of integrity - has been introduced. The provisions came into force on 1 July 1998. Anyone who commits a criminal act under Chapters 3, 4 or 6 of the Penal Code (assault, unlawful threat or coercion, sexual or other molestation, sexual exploitation, etc.) against a person who has, or has had, a close relationship with the perpetrator shall be sentenced to imprisonment for at least six months and at most six years if the act formed part of a pattern of repeated violation of that person's integrity such as to seriously damage that person's self-confidence. This provision is also applicable in cases of domestic violence against children.

191. The new provisions enable the courts to increase the severity of sanctions for above-mentioned acts where they form part of a process constituting violation of integrity, which is often the case with domestic violence.

192. A parliamentary committee has been instructed to undertake a complete review of the provisions on sexual offences and to consider whether the legislation needs to be made more stringent in some respects. It has, for example, been commissioned to seek a solution whereby rape is defined so as to include serious sexual abuse of small children even where coercion has not been applied, and to consider the need to extend existing provisions protecting children from exploitation in connection with pornography. According to the committee's terms of reference, the review should be based on the terms of the Convention on the Rights of the Child as these relate to sexual offences committed against children. The committee is expected to complete its work by September 2000.

Guidelines on article 10, paragraph 6 (a)-(c)

193. Reference is made to paragraph 185 of the second periodic report submitted by Sweden under the Convention on the Rights of the Child, and the report of September 1996 under the terms of ILO Convention No. 138 of 1973 (on Minimum Age).

194. Under the Children and Parents Code, a child may enter into a contract of employment on her/his own behalf, but only with the consent of her/his custodian. The child may terminate the contract her-/himself and, if she or he has reached the age of 16, enter into a contract relating to other work of a similar nature without obtaining renewed consent. The child or the custodian may terminate the contract with immediate effect in the interests of the health, development or education of the child.

195. The provisions of Sweden's social legislation cover all children. Orphans are placed in foster care by the municipal social services and it is the duty of the municipal council to ensure that the child gets a new guardian/guardians in accordance with the provisions of the Children and Parents Code.

196. Regarding changes to national legislation affecting the rights enshrined in article 10, reference is made to article 10, paragraph 4.

Article 11

Guidelines on article 11, paragraph 1 (a) and (b)

197. Disparities in income and other economic resources between social groups have increased since the beginning of the 1980s. The highest incidence of those with poor and weakened finances is among young people, single parents and immigrants. There are clear disparities between young people from different social groups in terms of their success in establishing themselves on the labour market and in the adult world. During the 1990s, it became more difficult for young people from blue-collar families to establish themselves, and easier for those from white-collar families.

198. In 1994, the majority of the residents in Sweden's three largest cities - Stockholm, Göteborg and Malmö - lived in mixed neighbourhoods with a relatively even distribution of high and low incomes. This pattern had remained stable during the previous 10 years. In 1994, just over 300,000 residents in major cities (12 per cent of the local population) lived in residential areas which were classified as very low-income areas in 1985 and remained so during the following nine years, or grew even poorer. There are substantial disparities in living conditions between very low-income residential areas and those in wealthy neighbourhoods. Fully 30 per cent of those living in very low-income areas receive social security benefit, compared with only 2 per cent in the wealthy residential areas. There are also sizeable disparities between residential areas in terms of the number of disability pensions paid and frequency of sick leave, the academic performance of schoolchildren, participation in political life, and the incidence of violence.

Standard of living and living conditions for the population as a whole

199. GDP per capita increased throughout the 1980s, reaching a peak in 1990. In 1993 GDP had fallen back to 1986 levels. Although it rose during the period 1993-1997, it was not until 1996 that GDP per capita exceeded the level reached in 1990.

Gross Domestic Product per capita in 1980-1997
(1980=100)

1980	1981	1982	1983	1984	1985	1986
100.0	99.9	100.8	102.5	106.5	108.4	110.7

1987	1988	1989	1990	1991	1992	1993
113.8	115.8	117.7	118.4	116.3	114.0	110.8

1994	1995	1996	1997			
113.7	117.6	118.8	120.9			

Source: Statistics Sweden.

200. The following table shows adjusted disposable income for Swedish households for 1980-1996. Mean disposable income was SKr 1,000 per consumer unit at 1996 price levels.

Year	Mean	Gini coefficient	Top 10%
1980	87.0	0.206	17.4
1981	85.0	0.203	17.4
1982	82.6	0.209	17.8
1983	82.9	0.210	17.7
1984	83.0	0.220	18.3
1985	86.0	0.221	18.8
1986	87.6	0.230	19.4
1987	89.5	0.221	18.5
1988	91.6	0.221	18.5
1989	96.5	0.223	18.7
1990	99.0	0.231	18.9
1989a	102.9	0.244	20.6
1990a	194.0	0.246	20.3
1991	104.5	0.261	21.0
1992	104.6	0.252	20.5
1993	99.9	0.257	20.6
1994	104.4	0.288	23.8
1995	96.6	0.256	20.5
1996	99.3	0.267	21.4

Source: Statistics Sweden

Note: The figures for the period 1991-1996 were affected by a change in the taxation system. Since 1991, a new income definition has been applied for all Swedish series. Adjusted figures for comparisons between 1989, 1990 and 1991 are presented in the table. The large gap between the series is due to the inclusion of additional incomes related to the broadening of the tax base; this led to an increase in household factor income by about 5 per cent, half of which is earnings, the other half capital income.

201. Income development at the beginning of the 1980s was characterized by a fall in the purchasing power of households. This trend was reversed when disposable income once again began to climb in 1985. After a period of rapid decline in the 1970s, 1982 saw the resumption of a gradual extension of the distribution of disposable household income, a trend which continued throughout the decade with the exception of 1986. While data from 1989 are not fully comparable with preceding years, they point to a further significant increase in distribution. This trend may have been exaggerated in 1994, reflecting tax incentives to realize capital gains. The Swedish Ministry of Finance found that wage dispersion, increased pensions and higher capital incomes exacerbated disparities in income distribution during the late 1980s and early 1990s. The top 10 per cent of high-income households increased their share of total income from 21.0 per cent in 1991 to 21.4 per cent in 1996.

202. The incomes of families with children relative to other households has declined over the past two decades. In the 1980s, disparities in disposable income between younger and older households increased, to the disadvantage of the former. This trend continued during the 1990s. The income generation gap is related to longer education periods and rising youth unemployment. This can partly be explained by an increase in the total number of pupils following the introduction of a third upper secondary school year. It is not clear from the findings what impact hidden unemployment has had on the above developments. The intergenerational disparities in disposable income is also a function of demographic change; as older pensioners on lower pensions died during the period under study and were no longer included in the statistics, they were replaced by new pensioners on higher pensions reflecting high employment levels during their active years and improvements in Sweden's pension system.

203. Extensive interview-based surveys of living conditions have been conducted in Sweden over the past 25 years. The areas reported on have included education, employment, the working environment, income, material standards, housing conditions, recreational activities, social contacts, victimization as a result of crime, political participation and health. The most recent published overview covers the period 1975-1995. (Living conditions and inequality 1975-1995, Statistics Sweden, 1997)

204. Disposable income has increased by approximately 18 per cent since the mid-1970s, reckoned per consumption unit after taxes and transfers. The most significant improvement occurred during 1985-1990. Most of the increase since the 1970s can be attributed to a sharp rise in employment among women, as opposed to growth in real incomes. Real earned incomes for full-time employees have only risen slightly since 1975 (3 per cent in real terms).

205. By international standards, income disparities in Sweden are small. However, differences, as measured by the Gini coefficients, have increased slightly in Sweden, as in most other countries during the 1980s and 1990s.

206. Income gaps between generations are sizeable, and have increased substantially over the entire 20-year period. Young people and single parents have experienced the lowest increases in disposable income.

207. Class differences in Sweden are significantly smaller than in many other countries. They reflect differences in employment levels and income distribution as well as the effects of extensive general welfare provisions. The class divide between blue- and high-level white-collar workers in Sweden narrowed steadily until the mid-1980s, when the process slowed to a halt.

208. The analysis also reveals wider differences between generations. Income development was most favourable for people between the ages of 45 and 64, whose children had left home. The most negative trends were found among young people about to enter gainful employment. Families with children, especially single-parent families with numerous children, and young parents with small children experienced greater financial difficulty than other groups.

209. Children's financial security worsened from the early 1980s onwards. During the first half of the 1990s, the proportion of children with two gainfully employed parents dropped from 72 to 58 per cent. However, the proportion of children with a mother in full-time employment fell from 36 to 31 per cent.

210. Pensioners enjoyed more favourable economic development than other age-groups during the study period. However, this was largely a consequence of two demographic factors: new pensioners on higher benefits have succeeded those with lower pensions. There was also an increase in the number of pensioners, particularly women, who had benefited from a long working life during an extended period of full employment. These cross-sectional comparisons apply to pensioners as a whole at specific points in time, as opposed to individual cases. The trend has not been equally favourable for individual pensioners over time. Nor do the calculations take into consideration increases in the cost of living, including such items as higher fees for health and old-age care.

211. The composition of the immigrant population varies considerably over time according to changes in immigration and repatriation patterns. More relevant to immigrants' social and financial conditions is their ability to establish themselves on the labour market. The high unemployment levels of the 1990s affected the prospects of people coming into the labour market, i.e. immigrants and young people.

212. The unemployment rate in Sweden throughout the 1970s and 1980s was low. This state of affairs was radically altered by the extended economic crisis of the early 1990s, a development which triggered a drastic rise in long-term unemployment. The crisis on the labour market was particularly hard for the young, immigrants and the disabled. During the 1990s, most people in Sweden, particularly single parents and families with young children, saw their spending margins shrink. There was an increase in the number of people receiving social security benefits.

Standard of living and living conditions for the elderly and disabled

213. Two categories traditionally beset by social and financial difficulties within the community were the elderly and the disabled. In recent decades, their condition has improved thanks to a number of reforms aimed at these groups.

214. In 1992, a major national policy reform in this field transferred responsibility for the provision of long-term services and care of the elderly and the disabled to the country's municipal councils. Under the Social Services Act, municipal councils are responsible for providing care and assistance in ordinary homes as well as special needs housing.

215. In December 1998, Sweden had a population of about 8.9 million people, of whom 17.4 per cent were aged 65 and over, and 4.9 per cent were aged 80 and over. Approximately 58 per cent were women. In 1997, the average life expectancy for a new-born girl was 81.8 years and for a boy 76.6 years. The number of people in the 80 and over age group has increased by more than 60 per cent since 1980. Prognoses indicate that between 1998

and 2010 this age group will grow by 16 per cent, while the number of people aged 90 and over will increase by almost 37 per cent. Between 2010 and 2020 the number of people in the 80 and over age group is expected to rise by 5 per cent.

216. Proportion of old-age pensioners aged 65 and over and 80 and over:

Year	% of total population	
	65 and over	80 and over
1980	16.4	3.2
1990	17.8	4.3
1997	17.4	4.9
2010 prognosis	19.3	5.5
2020 prognosis	22.2	5.7
2030 prognosis	24.2	8.1

217. In December 1997, nearly 130,000 immigrants in Sweden (8 per cent of the total number) were aged 65 and over.

218. One of the most important aims of Sweden's care services for the elderly is that elderly people should be able to live at home wherever possible. Several studies have shown that most people want to continue living at home. Efforts have therefore been focused on creating a system of services and care for the elderly based primarily on assistance and support in the home. The proportion of elderly people in institutions has remained constant since the beginning of the 1990s. Most elderly people (91 per cent) live in ordinary homes, approximately half of them owner-occupied.

219. In connection with the 1992 reform mentioned above, in which the municipal councils took over responsibility for local nursing homes, the term "special needs housing" for the elderly was introduced. This term is a collective designation for all forms of accommodation forming part of municipal care services for the elderly, including service flats, residential homes for the elderly, group housing and nursing homes. Approximately 9 per cent of elderly people aged 65 and over in Sweden live in some form of special needs housing.

220. As stated above, more than 90 per cent of the elderly in Sweden live in ordinary homes. The role played by relatives in looking after the elderly should be voluntary and be viewed as an adjunct to community services. Estimates indicate that the amount of help provided to elderly people living at home by their next of kin is more than twice that provided by the community. Of those aged 65 and over, about 8.4 per cent received home-help in ordinary homes from municipal councils in 1997. Development in the Home Help Services is moving towards progressively fewer numbers receiving home help, with inputs being concentrated on the very oldest and those most in need of help.

People with disabilities

221. Reference is made to paragraphs 191-192 of the third periodic report. Note, however, that the term "handicapped" should be replaced by "disabled" or "people with disabilities".

222. The number of people receiving care, support or other services from municipal councils under the Act concerning Support and Service for Persons with Certain Functional Impairments (1993:387, hereinafter referred to as LSS), is given in the following table:

	1 Jan. 1996 Number	Per 10,000 of the population	1 Jan. 1997 Number	Per 10,000 of the population	1 Jan. 1998 Number	Per 10,000 of the population
In total	39 694	45	41 640	47	44 412	50
0-6 years	2 541	31	2 511	31	2 479	32
7-12 years	3 646	57	4 007	61	4 468	65
13-22 years	6 663	64	6 925	67	7 400	73
23-64 years	24 296	51	25 611	53	27 291	56
65-	2 548	17	2 586	17	2 774	18
Men in total	21 871	50	23 042	53	24 693	57
0-6 years	1 456	34	1 477	36	1 504	38
7-12 years	2 223	68	2 482	73	2 792	79
13-22 years	3 783	71	3 934	74	4 256	82
23-64 years	13 154	54	13 897	57	14 799	60
65-	1 255	19	1 270	19	1 342	21
Women in total	17 823	40	18 598	42	19 719	44
0-6 years	1 085	27	1 034	26	975	26
7-12 years	1 423	46	1 525	48	1 676	50
13-22 years	2 880	56	2 991	59	3 144	63
23-64 years	11 142	47	11 732	50	12 492	52
65-	1 293	15	1 316	15	1 432	16

223. On 1 January 1998, over 44,000 people were receiving assistance from municipal councils and around 18,000 from county councils. An estimated total of between 48,000 and 50,000 people receive one or more special services and special support under LSS. The total number of people accorded assistance was almost 95,000.

224. This represents a small increase over 1 January 1997 in the number of people receiving assistance under LSS. The number of service inputs has also increased.

225. Approximately 88 per cent of all the service and support measures provided under LSS were extended to people with intellectual impairments and other groups, namely those entitled to services under the previous legislation. The most common measure for these persons is counselling and other personal support.

226. Around 29 per cent of all measures applied in accordance with LSS were aimed at children and young people aged 22 or under, 66 per cent were aimed at people aged 23 to 64 and around 5 per cent related to people aged 65 and over.

Measures implemented under the Social Services Act

227. The above statistics relate only to measures aimed at people with severe disabilities. In the statistics on the social services, people with disabilities are just one of several groups, including people who need the support provided for in the Social Services Act for social reasons, or because of mental illness or old age.

228. Reference is made to paragraph 195 of the third periodic report. Note, however, that the term "handicapped" should be replaced by "disabled" or "people with disabilities".

229. LSS and the Act on Compensation for Assistance, in force since 1 January 1994, have extended the rights of people with disabilities.

Guidelines on article 11, paragraph 1 (c)

Statistics on poverty in Sweden

230. Although no official statistics on poverty are produced in Sweden, a number of studies based on different ways of measuring poverty have been published.

231. A report produced by the Ministry of Finance in 1998 presented an estimate of poverty levels in terms of income. The poverty line was defined as 50 per cent of median disposable income.

232. To ensure a fair comparison between families of different sizes, disposable income was adjusted according to an equivalence scale. This scale differed slightly from the so-called OECD scale. The Swedish scale was based on the recommendations on social security benefit published by the National Social Insurance Board. Here, the benefit amount is adjusted according to needs and the number of members in a household.

Swedish equivalence scale 1996

1 Adult	1.16
Next adult	0.76
Children aged 0-3	0.56
Children aged 4-10	0.66
Children aged 11-17	0.76

Poverty incidence in Sweden as a percentage. Households with disposable income below 50 per cent of median disposable income

Year	Per cent of all households
1975	3.9
1976	3.6
1977	3.3
1978	3.1
1979	3.4
1980	3.6
1981	3.7
1982	3.9
1983	4.1
1984	4.4
1985	4.1
1986	4.3
1987	3.9
1988	4.4
1989	4.6
1990	4.6
1989a	4.7
1990a	4.8
1991	5.0
1992	5.2
1993	5.6
1994	5.8
1995	5.9
1996	5.9

Source: Ministry of Finance

Note: The figures for the period 1991-1996 were affected by a change in the taxation system. Since 1991, a new income definition has been applied for all Swedish income series. Adjusted figures for comparisons between 1989, 1990 and 1991 are presented in the table.

233. The study showed a very gradual increase in the percentage of the population on incomes below the poverty line.

234. Another poverty line (poverty was defined as disposable incomes below the social assistance limit) was used in another special study on economic resources and less privileged groups in Sweden. (Social Report 1997, The National Board of Health and Welfare). It was found that poverty trends varied widely between different segments of the population. Poverty levels increased sharply during the 1990s among single people who were not in full-time employment, and cohabitants of whom at least one was unemployed. Fully employed

cohabitants were not affected at all. All socio-economic levels were to some extent affected during the 1990s, but blue-collar workers and disability pensioners lost out most. There was no increase in the poverty rate of old-age pensioners during the 1990s.

235. In a study of living conditions (Living Conditions and Inequality, 1975-1995, Statistics Sweden, 1997) Swedish data were compared with data from European Community Households Panel (ECHP) and data from interview surveys of living conditions in Finland and Norway

236. In international terms, Sweden maintained relatively low poverty levels from the mid-1990s. The EU countries may roughly be divided into three categories: in Sweden and the Nordic countries as a whole, some 5 per cent of the population was classified as poor; the figures for the United Kingdom and the southern European countries ranged from 18 to 27 per cent; for the central EU countries, they were somewhere between 11 and 13 per cent. Since the poverty threshold in this case was set at 50 per cent of each country's mean disposable income, the poverty levels were in proportion to the overall income levels of the respective countries. If instead the poverty threshold had been set at fifty per cent of disposable income within the EU as a whole, the proportion of those living in poverty in southern European countries would have been 27-47 per cent, compared with an unchanged 5 per cent for the Nordic countries.

Guidelines on article 11, paragraph 2

237. Reference is made to the third periodic report.

Guidelines on article 11, paragraph 3 (a) and (b)

238. The Social Report 1994 reflects the housing situation for the less privileged groups in Sweden. People with low disposable incomes, social security recipients and immigrants form part of the 2 per cent that have not reached the standard of one room per person. They are said to live in "overcrowded conditions".

239. There are an estimated 10,000 homeless individuals in Sweden. Of these, 1,000 are believed to be genuinely homeless, while the rest live temporarily with friends or in shelters run by local authorities or by charity organizations. Two thirds of the homeless are habitual alcohol or drug misusers. Immigrants from non-European countries are over-represented and 80 per cent of the homeless are men. People suffering from mental illness make up an increased percentage of the homeless.

240. In order to further strengthen support for the homeless, the Swedish Government appointed a parliamentary committee in 1998. Its brief is to propose and initiate measures aimed at securing better conditions for the homeless and eliminating factors leading to homelessness. To this end, the Government has allocated SKr 30 million for the period 1999-2001.

241. There are no known "illegal" settlements or housing.

242. The number of people evicted from their homes totalled 5,000 in 1990, 7,000 in 1993, 6,200 in 1997 and 5,900 in 1998. All evictions were carried out in accordance with the legislation in force, which covers all tenants with a valid rental agreement or lease. There are no special categories that lack legal protection against arbitrary eviction.

Guidelines on article 11, paragraph 3 (c)

243. As regards right of possession, the most common forms in Sweden are outright ownership of the home, possession under a tenant-ownership agreement, or possession under a rental contract. Regulations governing ownership and rent are laid down in the Code of Land Laws and a special Act (1991:614) contains provisions on tenant-ownership.

244. An outright owner owns both the dwelling structure and the land on which it stands. Under the Code of Land Laws, land is divided into properties. A single dwelling may be built on any given property, the structure thereafter becoming a part of the said property. Regulations governing changes in the division of property during such property development are set out in the 1970 Property Development Act (1970:988). Under the Act, it is permissible in certain circumstances to develop new properties and alter existing divisions. The owner of a property may raise a mortgage on it as security for a debt. She or he may also sell the property. A valid purchase is, however, conditional on the existence of an agreement to purchase which has been signed by both the seller and the buyer.

245. A tenant-owner does not own the dwelling as such but has the usufruct of it for an indefinite period of time. The property is owned by a tenant-owner association which manages its finances and supervises its maintenance. Tenant-owners are members of the association and enjoy voting rights at its annual general meeting, where they can influence decisions relating to the management of the property and the charges (i.e. rent) to be paid to the association. The tenant-owner may raise a mortgage on her/his home as security for a debt. She/he may also sell it although this requires the purchase documents to be in writing and signed by both seller and buyer. In the event of a serious breach of contract - e.g. failing to pay charges on time - a tenant-owner may lose her/his usufruct of the dwelling. In such cases, the tenant-owner is obliged to move and the dwelling is then normally compulsorily sold.

246. When renting a home, the tenant pays rent to the landlord (property owner). A person is entitled to a written lease specifying, among other things, the amount of rent to be paid. Under the "utilization value" system, rent may not be substantially higher than for other, equivalent, accommodation. As a rule, the tenant is legally entitled to extensive security of tenure, i.e. protection against the need to move from the dwelling in the event of notice of termination. However, security of tenure does not apply in some cases, as when tenancy is forfeit because the tenant did not pay the rent on time or was liable to some other serious breach of contract. The tenant is always entitled to give notice of termination, which comes into force on the last day of the third month after notice has been submitted. No notice is required if the tenant or landlord wish to alter the conditions of the lease. In such cases, the relevant party communicates the requested changes in writing to the other party. If the parties are unable to agree, they may apply to the rent tribunal (hyresnämnd), a special government authority.

247. Under the Swedish Constitution (Chapter 2, Section 18 of the Instrument of Government) the property of every citizen is protected in such a way that no one may be compelled by means of expropriation or any other such disposition to surrender his property to organs of the State or the public administration or to any private person, or to tolerate restriction by bodies of the State or public administration of the use of lands or buildings other than when necessary to satisfy a pressing public interest. Further, any person compelled to surrender property as a result of expropriation or other such disposition shall be compensated for her/his loss. The same applies to any person whose use of land or buildings is restricted by the State or organs of public administration in such a way as to substantially impair ongoing use of land forming part of the property concerned or to cause significant damage to the same.

248. Compulsory purchase, which is covered by the Expropriation Act (1972:719) normally involves appropriation of property by a public authority in the interests of the community as a whole. Compulsory purchase orders are issued by the Government or a County Administrative Board. The process may only be implemented for certain purposes, e.g. to make room for highway construction. Compensation to property owners for acts of expropriation is a matter for the courts. As a rule, the compulsory purchase price of a property shall be equivalent to its market value plus compensation for any other damage.

Article 12

Guidelines on article 12, paragraph 1

249. Reference is made to the second periodic report under the Convention on the Rights of the Child, paragraphs 483-495 and the 1996 WHO report Third Evaluation of the Progress Towards Health for All in the European Region (WHO/Euro HFA evaluation 1996/97 Sweden, hereinafter referred to as the Health for All report.).

250. The period 1975-1995 was distinguished by favourable as well as adverse developments in public health. The most notable positive trend was improved health among the elderly; a declining proportion reported their general health status as poor. The negative trends were primarily connected with health problems among the actively employed. Among women of active working age, there was a higher incidence of long term illnesses causing severe discomfort or adversely affecting working capacity.

251. By international standards, health conditions for the population of Sweden are good. However, there is room for improvement of care services in terms of accessibility, patient satisfaction and treatment outcome.

252. The health status of the population is monitored every fourth year, most recently in the 1997 report on Sweden's public health (Sweden's Public Health Report, 1997, National Board of Health and Welfare). Based on registers of diseases and injuries, official statistics, survey data and research results, the report provides an account of the development of the health of Swedish people and changes in health-related habits of life and factors in their environment.

253. The results indicate a pronounced increase in life expectancy and improvements in locomotive ability, particularly in old people. Several indicators of mortality, morbidity and

well-being suggest that the Swedish people are among the world's healthiest. Mortality from cardiovascular diseases, injuries, alcohol-related diseases and suicide has fallen. Children and young people enjoy very good physical health in terms of self-reported health, morbidity and mortality. Infant mortality is 3.6 per 1,000 live births, a very low figure by international standards.

254. However, problems do exist. Social inequalities in health persist. The proportion of young people who have tried drugs, drink a lot of alcohol or have mental problems has increased during the 1990s. The proportion of working-class women whose ability to work is severely impaired by a long-term illness has also risen.

255. Immigrants receive the same health care as other people in Sweden. Information about the services available may be provided by qualified medical staff, multilingual personnel and staff with an insight into cultural differences. Printed information in a range of languages is also available.

Guidelines on article 12, paragraph 2

256. Reference is made to targets 26 and 28 in the Health for All report.

Guidelines on article 12, paragraph 3

257. Reference is made to target 26 in the Health for All report. Health-care costs have increased very rapidly in recent decades. However, the increases in the last few years have not exceeded 1.5 per cent in fixed prices. In 1997, care costs amounted to 8.6 per cent of GDP as against 4.7 per cent in 1960, 9.4 per cent in 1980 and 8.8 in 1990. Costs for primary care prior to 1985 cannot be distinguished from total health-care costs. In 1985, 25 per cent of total health care costs was spent on primary care. In 1997, the corresponding proportion was 18 per cent.

Guidelines on article 12, paragraph 4 (a)

258. Reference is made to target 7 in the Health for All report.

Guidelines on article 12, paragraph 4 (b)

259. 100 per cent.

Guidelines on article 12, paragraph 4 (c)

260. 100 per cent.

Guidelines on article 12, paragraph 4 (d)

261. Reference is made to targets 4 and 5 in the Health for All report. Vaccination coverage is 97 per cent in the case of diphtheria, tetanus and poliomyelitis, and approximately 93 per cent

in the case of measles. Vaccination against whooping cough is given to high risk groups (approximately 5 per cent). The same applies to vaccination against tuberculosis, which is given to some 10 to 15 per cent of all children, mostly immigrants.

Guidelines on article 12, paragraph 4(e)

262. Reference is made to target 6 in the Health for All report.

Guidelines on article 12, paragraph 4 (f)

263. 100 per cent.

Guidelines on article 12, paragraph 4 (g)

264. 100 per cent.

Guidelines on article 12, paragraph 4 (h)

265. 100 per cent.

Guidelines on article 12, paragraph 5

266. Reference is made to target 2 in the Health for All report.

Guidelines on article 12, paragraph 5 (b)

267. Reference is made to target 1 in the Health for All report. Special information about the health-care system is available in a range of immigrant languages.

Guidelines on article 12, paragraph 5 (e)

268. The maternity care programme is accessible to all women and is aimed at preventing complications during childbirth. Infant mortality is 3.6 per 1,000 live births.

Guidelines on article 12, paragraph 5 (f) and (g)

269. Sweden is a party to ILO Conventions No. 161 of 1985 (on Occupational Health Services) and No. 162 of 1986 (on Asbestos). Reference is made to the Swedish reports on the implementation of these Conventions.

Guidelines on article 12, paragraph 5 (f)

270. Reference is made to targets 18-25 in the Health for All report.

Guidelines on article 12 paragraph 5 (g)

271. Reference is made to target 5 in the Health for All report. Sweden has laws and regulations on various procedures aimed at counteracting the spread of infectious diseases that constitute a serious threat to human health. The main provisions in this area are now contained in the Communicable Diseases Act (1988:1472) and the Communicable Diseases Ordinance. Responsibility for preventing the spread of infectious diseases is divided between the county and municipal councils. County medical officers play an important role in this work.

Guidelines on article 12, paragraph 5 (h)

272. Reference is made to target 13 in the Health for All report.

Guidelines on article 12, paragraph 6

273. Reference is made to target 30 in the Health for All report.

Guidelines on article 12, paragraph 7

274. Reference is made to target 28 in the Health for All report.

Guidelines on article 12, paragraph 8

275. Reference is made to targets 32 and 33 in the Health for All report.

Article 13

276. In terms of educational history, the Swedish population can be divided into two distinct groups. In 1995, half the population had received basic education before the major school reforms introduced in the 1950s and 1960s. The other half has gone through the school system since that time. The level of education enjoyed by the post-war generations is generally higher than that of previous generations, particularly that of the oldest members of the population.

277. In all regions there has been a decline in the proportion of individuals with no secondary education. There has also been a levelling of regional differences in that regard. However, higher education is most common among residents of large cities, a distinction that has grown since the 1970s.

278. Reference is made to paragraphs 535-640 of the third and second periodic reports submitted by Sweden under the Convention on the Rights of the Child. In view of certain changes in the school system the following may be said:

Pre-school activities and care of schoolchildren

279. Responsibility for pre-school activities and the care of schoolchildren passed from the Ministry of Health and Social Affairs to the Ministry of Education and Science on 1 July 1996.

The provisions governing these activities were transferred from the Social Services Act to the Education Act on 1 January 1998. On that date, the National Agency for Education became the supervisory body for pre-school activities and the care of schoolchildren.

280. Since 1 January 1995, local authorities are required by statute to provide pre-school activities and care for schoolchildren between the ages of 1 and 12 without undue delay and to the extent required bearing in mind the parents' gainful employment or studies and/or the child's own needs. Pre-school care shall stimulate the child's development and learning through educational group activities and contribute to a beneficial environment during childhood. Children needing special support shall receive the care they require. Activities must be structured in cooperation with the parents and help them to combine employment with parenthood. A new curriculum (Lpfö 98), reinforcing the educational role of pre-schools was introduced on 1 August 1998.

Pre-school classes

281. This voluntary educational format was created on 1 January 1998 and entitles all six-year-old children to a minimum of 525 hours education free of charge during the year prior to their starting compulsory school. The education provided in pre-school classes is designed to stimulate development and learning in all the children and build the foundations for their subsequent education. Practically all six-year-olds participate in this activity.

Compulsory comprehensive school

282. Curriculum and grading system. A new curriculum for compulsory schools (Lpo 94) was introduced in the autumn of 1994. It applies to all compulsory comprehensive schools, schools for Sami children, special schools and compulsory special schools for the intellectually disabled. The curriculum lays down the school's basic values, basic guidelines and objectives. A national syllabus for each subject includes teaching goals for that subject. The objectives are of two kinds: goals the schools themselves are expected to work towards, and goals which every pupil in grades 5 and 9 respectively should seek to attain and for which achievement the school is responsible.

283. In addition to the curriculum and syllabus, each local authority is required to draw up a school plan. This arrangement is designed to give individual headmasters, teachers and pupils in a school sufficient latitude to work out the contents, organization and working methods in greater detail. These are then laid down in the working plan for each school.

284. A new timetable lays down the minimum guaranteed time for which pupils are entitled to receive teacher-supervised teaching in various subjects. Certain hours are set aside for pupils' choices, which means that individual pupils may study advanced courses in one or more subjects. Moreover, within a given framework, a school may use these hours to provide more time in some subjects than the maximum specified in the timetable.

285. A new knowledge-related grading system was introduced at the same time as the curriculum and syllabus. Grades will be given each term on a scale of three, from the autumn term of the pupil's eighth year at school. A pupil who does not achieve the syllabus goals for the

ninth year, i.e. does not pass, will not receive a grade in the subject but will be entitled to a written appraisal. Throughout their compulsory comprehensive education, pupils - and their parents - receive regular information about their studies and performance, among other things through periodic progress and development assessment meetings involving pupil, teacher and parents.

286. National tests in Swedish, English and mathematics in the fifth year (voluntary) and the ninth (compulsory) have been compiled by the National Agency for Education to help schools assess standards and evaluate teaching results.

287. Teaching a pupil's native language. If one or both the pupil's parents/guardians has a mother tongue other than Swedish and this language is used in daily social intercourse with the pupil, she or he may receive instruction in this language as a subject (mother tongue instruction). In 1997/8 almost 12 per cent of school pupils had a mother tongue other than Swedish, and about 54 per cent of these received instruction in this language. The most common languages taught were Finnish, Bosnian/Croatian/Serbian and Arabic.

288. Independent schools. In 1998, there were some 300 independent compulsory comprehensive schools in Sweden. These were attended by approximately 2.7 per cent of the pupils in the country.

289. General. In the 1997/98 school year, 1 per cent of pupils left the compulsory comprehensive school without a school-leaving certificate. About 92 per cent applied for upper secondary school.

Upper secondary school

290. New admission requirements came into force on 1 July 1998 for those applying for upper secondary school. The applicant is admitted on condition that she or he has completed the final year at a compulsory comprehensive school or equivalent, and has a pass in Swedish, or Swedish as the second language, English and mathematics, or has acquired equivalent knowledge in some other way. A pupil unable to comply with these admission requirements may not be admitted to a national or specially designed programme. On the other hand, the individual may be accepted for an individual programme and, through studies in this programme, achieve the required level for admission to a national or specially designed programme.

291. Just as many girls as boys apply for and go on to upper secondary school. About 98 per cent of the pupils completing their compulsory comprehensive school education apply to continue studying at an upper secondary school. In 1997, some 83 per cent of the pupils graduated at the end of their third year at upper secondary school. About 19 per cent of all 20-year-olds in the country have not completed their upper secondary school education. Some 37 per cent of pupils continue their higher education at a college or university within three years of completing their upper secondary school education.

292. Education at a public upper secondary school is free of charge. Pupils have access to books, tools and other educational aids necessary for a modern education. However, the local education authority at municipal or county level may require pupils to provide their own educational aids. Moreover, certain activities may include elements entailing a slight cost to the students.

Adult education

293. The Swedish municipal councils are responsible for providing basic adult education.

294. The Adult Education Initiative, AEI. The Adult Education Initiative, a five-year investment in adult education, was launched on 1 July 1997. Its primary purpose is not only to extend the scope of upper secondary school education, but also to equip it to keep pace with the shifting demands posed by modern working life, society and individual needs. The investment includes the creation of more than 100,000 new annual places in education for adults, mainly at upper secondary level. The Initiative also provides for an additional 10,000 places in independent adult education institutions (folkhögskola), 5,000 places in municipal adult education at the compulsory level, and 5,000 places in pilot projects for advanced vocational training.

295. The Adult Education Initiative has four important perspectives - renewal of adult education and labour market policy, a more equitable distribution and increased growth.

296. Approximately 80 per cent of those recruited via AEI had previously been unemployed. Throughout the whole five-year period, around 550,000 one-year full-time student places will be financed by an AEI grant from central Government. This corresponds to about 600,000 participants, of whom an estimated 425,000 are unemployed.

297. Advanced Vocational Training, AVT. Pilot projects involving post-upper-secondary vocational training - Advanced Vocational Training (AVT) - have been under way since 1996. This initiative is based on the need for more qualified employees. Rapid changes in working life are placing new, tougher demands on the educational system as a whole. There is a growing demand for employees with the kind of skills and expertise only obtainable through training involving active learning in the workplace. Despite a wide range of programmes available at higher education level, this type of instruction, with a strong focus on on-the-job training, is lacking.

298. The cornerstone of AVT is training designed in close cooperation with the workplace, incorporating on-the-job learning organized and financed by employers. Close contact with the workplace ensures that courses reflect real demands.

Higher education

299. Swedish higher education has expanded considerably in recent years. Greater access has been ensured by placing the primary focus of expansion on small and medium-sized university

colleges outside the major academic centres. This expansion has also opened up opportunities for research. On 1 January 1999, three university colleges in Karlstad, Växjö and Örebro were transformed into universities with their own grants for research.

300. The Government has recently allocated funds for the establishment of a centre of knowledge at Uppsala University. The centre will conduct research on the Holocaust, other acts of genocide and human rights. The need for human rights studies has been emphasized; as an initial measure, the Government has allocated funds for courses in human rights at the Stockholm School of Theology.

Educational costs

301. Expenditure on education accounts for 7 per cent of the State budget. The municipal councils are responsible for providing compulsory comprehensive school education, upper secondary school education and adult education. The costs for these activities account for approximately 30 per cent of total municipal expenditure.

Article 15

Guidelines on article 15, paragraph 1

302. The aim of Sweden's policy for the arts is to support and stimulate cultural activity throughout the nation, not to rule or regulate.

303. The Government directly supports public cultural institutions, theatres, archives, museums and certain administrative bodies. The Government is also responsible for whatever legislation exists in the cultural sector, especially in the care of archaeological findings and cultural heritage linked to the environment. There is also legislation relating to the freedom of the press, copyright, archives and broadcasting.

304. Since the 1970s, regional institutions have been developed for the arts through a special State grant system. There is now a network of theatres, orchestras, museums and libraries throughout the country in accordance with the guidelines for a national cultural policy first drawn up by the Swedish Riksdag (parliament) in 1974. The grant system now also includes the film and the dance sectors.

305. In 1996, the Swedish Riksdag adopted new goals for a national policy for the arts. These goals serve as guidelines for cultural development on national as well as on regional and local level and serve as a basis for government decision-making.

306. The goals are the following:

To safeguard freedom of expression and create genuine opportunities for all to use that freedom;

To work to create the opportunity for all to participate in cultural life and cultural experiences and to engage in creative activities of their own;

To promote cultural pluralism, artistic renewal and quality, thereby counteracting the negative effects of commercialism;

To make it possible for culture to be a dynamic, challenging and independent force in society;

To preserve and enjoy our cultural heritage;

To promote cultural education; and

To promote international cultural exchange and meetings between different cultures on the domestic front.

307. In 1996, the Swedish Riksdag also approved a Library Act which, among other things, guarantees the free loan of books and stipulates that there must be a public library in every municipality.

308. Efforts have been made to develop databases in the cultural field in order to make information available to the general public. A special cultural network, "CultureNet Sweden", has been set up with a view to increasing accessibility to knowledge and information in cultural institutions.

309. Emphasis has been placed on cultural heritage as a force for the democratic development of society. An important task is to involve people who seldom come into contact with this sector. The central cultural heritage institutions have been commissioned to find a strategy to continue and develop the democratic functions of our cultural heritage.

Guidelines on article 15, paragraph 2

310. The significance of close cooperation between universities and university colleges and the community has been stressed since 1997. Through a change in the Higher Education Act of 1992, this cooperation and the duty to inform the public about activities within the university or university college have been formulated as a third task for higher education alongside education and research. An example of activities belonging to the third task is a project to improve information about research. The Swedish Research Councils also inform the public about ongoing research and research results via the Internet and magazines. To this end a database for research information has been created for use by all Swedish universities and university colleges.

Guidelines on article 15, paragraph 3

311. Basic provisions governing the rights of authors, artists and photographers are laid down in the Constitution. More detailed provisions on the protection of these and other similar categories of right-owners are contained in the 1960 Act on Copyright in Literary and Artistic Works, which has been amended a number of times since its adoption.

312. An almost complete revision of Chapter 2 of the Act dealing with limitations on the exclusive rights granted to beneficiaries came into force on 1 January 1994. Moreover, the Act

has been amended a further five times to implement Directives in this field issued by the Council of Ministers of the European Communities. Thus, the Directive on the legal protection of computer programs was implemented at the beginning of 1993, while the Directives on rental and lending rights, satellite and cable issues, and the legal protection of databases were incorporated into Swedish legislation in 1995, 1996 and 1997 respectively.

313. A number of other amendments have also been made. Thus, on 1 July 1994, remedies against infringements of intellectual property rights were strengthened by the inclusion in a number of instruments, including the Copyright Act, of provisions authorizing the courts to serve prohibition orders - on a provisional basis where applicable - against activities infringing the rights protected under that Act. Failure to comply with such an order is punishable by a fine. On 1 January 1999, two further amendments to the Copyright Act came into force. One concerned the introduction of a levy on blank tapes for the benefit of right-owners who suffer from the effects of extensive sound and video home-taping. The other amendment introduced provisions governing so-called infringement investigations, also on a provisional basis inaudita altera parte, for the purpose of preserving evidence in civil infringement cases.

List of annexes

Annex I National Employment Action Plan, Sweden

Annex II Follow-up Report on Sweden's 1998 National Employment Action Plan

Annex III 18th Report submitted by Sweden on the European Social Charter

Annex IV Membership in Swedish Federations of Trade Unions, Statistical Yearbook of Sweden, 1995-1999

List of reference material

The third periodic report (E/1994/104/Add.1) submitted by Sweden on the International Covenant on Economic, Social and Cultural Rights.

The fourth periodic report (CCPR/C/95/Add.4) submitted by Sweden on the International Covenant on Civil and Political Rights.

The fourth periodic report (E/1994/104/Add.1) submitted by Sweden on the Convention on the Elimination of All Forms of Discrimination against Women.

The thirteenth and fourteenth periodic reports submitted by Sweden on the International Convention on the Elimination of All Forms of Racial Discrimination.

The second periodic report (CRC/C/65/Add.3) submitted by Sweden on the Convention on the Rights of the Child.

Reports of September 1996 and 1998 under ILO Convention No. 122 of 1964 (on Employment Policy).

Report of November 1998 under ILO Convention No. 142 of 1975 (on Human Resources Development).

Reports of September 1996 and 1998 under ILO Convention No. 29 of 1930 (on Forced Labour) of 1930.

Reports of August 1995, February 1998 and November 1998 under ILO Convention No. 111 of 1958 (on Discrimination (Employment and Occupation)) of 1958.

Report of August 1998 under ILO Convention No. 143 (on Migrant Workers (Supplementary Provisions)).

Reports of September 1996 and November 1998 under ILO Convention No. 100 (Equal Remuneration) of 1951.

Report of October 1997 under ILO Convention No. 81 of 1947 (on Labour Inspection).

Report of October 1998 under ILO Convention No. 47 (on the Forty-Hour Week).

Reports under ILO Convention No. 14 of 1921 (on Weekly Rest (Industry)).

Reports under ILO Convention No. 132 of 1970 (on Holidays with Pay) of 1970.

Reports of September 1996 and October 1998 under ILO Convention No. 87 of 1948 (on Freedom of Association and Protection of the Right to Organize).

Report of October 1997 under ILO Convention No. 98 of 1949 (on the Right to Organise and Collective Bargaining).

Reports under ILO Social Security Conventions No. 102, 121, 128 and 130.

Report of September 1996 under ILO Convention No. 138 of 1973 (on Minimum Age).

WHO/Euro HFA [Health for All] evaluation 1996/97, Sweden.